

STATE OF WISCONSIN

Town of Richmond

St. Croix County

SECTION I - TITLE

This ordinance is entitled the Town of Richmond Manufactured and Mobile Home, Manufactured and Mobile Home Community License, Campground License, and Temporary or Seasonal Residence Permit Ordinance.

SECTION II - PURPOSE

The purpose of this ordinance is to regulate by license or permit the installation, maintenance, and parking of mobile homes, manufactured homes, and camping units in the town, the installation, construction, and maintenance of temporary or seasonal dwellings in the town, and the construction, installation, operation, and maintenance of manufactured and mobile home parks and campgrounds in the town to allow the town to monitor the development of property within the town in order to assure the proper assessment and taxation of and assessment of fees upon property within the town and to assure the provision of fire and other emergency services to residents within the town.

SECTION III - AUTHORITY

The town board has the specific authority under ss. 66.0119, 66.0435, 101.645, and 101.935, Wis. Stats., and the town's village powers under s. 60.22, Wis. Stats., to adopt and enforce this ordinance.

SECTION IV - ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation by license or permit of the installation, maintenance, and parking of mobile homes, manufactured homes, and camping units in the town, the installation, construction, and maintenance of temporary or seasonal dwellings in the town, and the construction, installation, operation, and maintenance of manufactured and mobile home communities and campgrounds in the town.

SECTION V - DEFINITIONS

- A. "Campground" means any parcel or tract of land in the town owned by a person, the state, or a local government, that is designed, maintained, intended, or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or by one to 3 camping units if the parcel or tract of land is represented as a campground.
- B. "Camping unit" means any portable device, no more than 400 square feet in floor space, used in the town as a temporary or seasonal dwelling, including but not limited to a camping trailer, motor home, bus, van, truck, or tent.
- C. "Closed construction" means any building, building component, assembly, or system manufactured in such a manner that it cannot be inspected before installation at the building site without disassembly, damage, or destruction.
- D. "Manufactured and mobile home community" means a facility in the town where 2 or more of any combination of mobile homes, manufactured homes, manufactured dwellings, or camping units are installed or parked on a parcel for dwelling or sleeping purposes regardless of whether any charge is made for the accommodation.

e. 1. "Manufactured dwelling" means any structure or component of a structure that is intended for use as a dwelling and is any of the following:

- a. Of closed construction that is fabricated or assembled on site or off site in manufacturing facilities for installation, connection, or assembly and installation at the building site; or
- b. Of open construction that is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.

2. "Manufactured dwelling" does not include any of the following:

- a. A building of open construction that is not subject to paragraph 1. b.
- b. A single- or double-width manufactured home or mobile home.
- c. A camping unit.

F. 1. "Manufactured home" means a structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal Department of Housing and Urban Development as complying with the standards established under 42 USC 5401 to 5425 and includes any additions, attachments, annexes, foundations, and appurtenances.

2. "Manufactured home" does not include any of the following:

- a. A manufactured dwelling.
- b. A camping unit.

G. "Mobile home" means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile home" includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, all appliances and all other equipment carrying a manufacturer's warranty, and any additions, attachments, annexes, foundations, and appurtenances. "Mobile home" does not include any camping unit.

H. "Motor home" means a motor vehicle designed to be operated upon a highway for use as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home.

I. "Open construction" means any building, building component, assembly, or system manufactured in such a manner that it can be readily inspected at the building site without disassembly, damage, or destruction.

J. "Temporary or seasonal dwelling" means any dwelling, cabin, shack, cottage, manufactured home, manufactured dwelling, mobile home, camping unit, or similar structure constructed, installed, parked, or maintained on a parcel of land in the town for temporary or seasonal human habitation, sleeping, lodging, shelter, or living quarters for recreation, camping, hunting, fishing, or travel on a temporary or seasonal basis. "Temporary or seasonal dwelling" does not include any of the following:

- 1. A structure or dwelling unit that has proper and lawful septic or sewage, water, and electrical connections attached to the dwelling to properly service the projected occupants.
- 2. A manufactured dwelling, mobile home, manufactured home, or camping unit that is used for permanent and year-round habitation, sleeping, lodging, shelter, or living quarters.

2. Any camping unit parked or installed in a properly licensed campground.
3. Any camping unit occupied for temporary or seasonal habitation outside of a licensed campground if parked or otherwise located on private property in a safe location with the approval of the owner of the property where parked or located for less than one hundred twenty (120) days in a calendar year.
4. Any unoccupied camping unit parked or otherwise located outside of a licensed campground if parked or located on private property in a safe location with the approval of the owner of the property where parked or located.
5. Any unoccupied camping unit parked or installed temporarily at a place approved in writing by the town and licensed by the State of Wisconsin to sell camping units in the town.
6. Any temporary or seasonal dwelling residential unit occupied for habitation in the town that is less than 100 square feet or any temporary or seasonal dwelling residential unit parked, installed, and maintained less than one hundred twenty (120) days in any calendar year if parked or located on private property in a safe location with the approval of the owner of the property where parked or located.

C. The following requirements shall apply to manufactured and mobile homes located outside of a manufactured or mobile home community on an other than temporary basis within the Town:

1. Manufactured or mobile homes shall have a minimum original floor space of 910 square feet.
2. The area beneath a mobile home must be completely enclosed with a durable skirting material which does not detract from the general aesthetic quality of the mobile home and the surrounding area. The general appearance of the mobile home shall not detract from the appearance of homes located on adjoining properties
3. Except as provided in Paragraph 6 below, any manufactured home or mobile home shall be located on a separate lot and such lot shall conform to all lot requirements of St. Croix County and the Town of Richmond and shall have a minimum size requirement of two acres and such lot shall not be deeper than five times the average width of such lot.
4. No mobile home manufactured prior to June 15, 1976, shall be brought into the Town of Richmond and located outside of a licensed manufactured and mobile home community and used for human habitation after the effective date of this ordinance.
5. Manufactured or mobile homes which are abandoned, burned or otherwise destroyed or substantially damaged must be removed from the lot or site on which they are located within six months after abandonment, burning, destruction or substantial damage has occurred. "Substantial damage" as used herein means damage the repair of which would exceed fifty percent (50%) of the assessed value of the manufactured or mobile home. "Abandoned" as used herein shall mean that the residence has not been occupied for a minimum of fourteen days within a calendar year.
6. The separate lot requirement contained in Paragraph 3 above shall not apply to manufactured or mobile homes located on an operating farm property and occupied by the parent(s), grandparent(s), children, grandchildren, or an employee (and that employee's immediate family) of the owner of the operating farm. No more than two manufactured or mobile homes may be placed on the property of an operating farm, unless prior written authorization has been obtained from the Town Board.

SECTION VII - MANUFACTURED AND MOBILE HOME COMMUNITIES

A. Except for any manufactured and mobile home community owned or operated by St. Croix County, no person, after the effective date of this ordinance, may install, operate, or maintain, or cause the construction, installation, operation, or maintenance of, any manufactured and mobile home community in the town unless the owner of the land occupied by the manufactured and mobile home community or the operator of the manufactured and mobile home community has been issued a Town Manufactured and Mobile Home Community License by the town clerk and has fully paid the annual license fee under s. 66.0435 (3) (a), Wis. stats., due the town for the calendar year.

B. No person, after the effective date of this ordinance, may construct, install, operate, or maintain, or cause the construction, installation, operation, or maintenance of, a manufactured and mobile home community in the town without compliance with all applicable statutes, provisions of the Wisconsin Administrative Code, including compliance with specific rental requirements established under the Wisconsin Administrative Code that are adopted as part of this ordinance by reference, any St. Croix County zoning ordinance, any town comprehensive plan, this ordinance, and any other applicable town ordinances.

C. 1. Except as provided in paragraph 2, no person, after the effective date of this ordinance, may install, operate, park, or maintain, or cause the construction, installation, operation, or maintenance of, any manufactured home, manufactured dwelling, mobile home, or camping unit in any manufactured and mobile home community in the town without timely payment of the monthly parking permit fee as determined under s. 66.0435 (3) (c), Wis. stats. The manufactured and mobile home community licensee shall collect and timely pay the fee to the town clerk, pursuant to s. 66.0435 (3) (c), Wis. stats. Any manufactured and mobile home community operator or owner who collects monthly parking permit fees may deduct for administrative expenses 2 percent of the monthly fees collected prior to payment to the town clerk. Fees shall be collected by the licensee by the fifth (5th) of each month and paid to the town clerk by the fifteenth (15th) of each month. The manufactured and mobile home community licensee is liable for the monthly municipal permit fee for any unit occupying space in the community as well as the owner and occupant of each such unit, except that the licensee is not liable until the licensing authority has failed, in an action under ch. 799, Wis. stats., to collect the fee from the owner and occupant of the unit.

2. Paragraph 1 does not apply to any manufactured home, manufactured dwelling, mobile home, or camping unit that is any of the following:

- a. An improvement to real property under s. 70.043 (1), Wis. Stats.
- b. A recreational mobile home as defined in s. 66.0435 (1) (hm), Wis. Stats.
- c. A camping trailer as defined in s. 340.01 (6m).

D. Any licensed manufactured and mobile home community operator or owner of land on which a manufactured and mobile home community is located shall timely notify the town clerk of information requested in writing by the town clerk, including the number of all manufactured dwellings, mobile homes, manufactured homes, or camping units installed, parked, or removed at any specific time periods in the mobile home park. This information shall be provided by the owner of the land or the operator of the manufactured and mobile home community within 5 days after written request from the town clerk. The information requested shall be on a form provided by the town clerk.

E. No person may in any manufactured and mobile home community in the town create or maintain, or cause or allow the creation or maintenance of, a public nuisance or a substantial threat or danger to the health or safety of the public, including to those persons who are occupants or tenants of the mobile home park.

F. No person, after the effective date of this ordinance, may construct, install, operate, or maintain, or cause the construction, installation, operation, or maintenance of, any manufactured and mobile home community unless the

- E. All annual licenses or permits issued under this ordinance shall expire on the succeeding June 30.
- F. All licenses or permits issued under this ordinance shall be displayed upon the parcel or vehicle for which issued, or, if carried on the person, shall be displayed to any officer of the town upon request.
- G. It is a condition of holding a license or permit under this ordinance that the licensee or permittee fully comply with all federal and state law or regulations and all county, extraterritorial, and town ordinances. Failure to do so is cause for revocation of the license or permit.
- H. All licenses or permits issued under this ordinance are personal and are not transferable except by written approval of the town board.
- I. Any license or permit issued under this ordinance may be revoked for cause by the town board. Any licensee or permittee whose license or permit is so revoked may apply within 5 days after the revocation for a public hearing before the town board. At the hearing, the licensee or permittee is entitled to be represented by counsel. The hearing shall be conducted upon publication of a Class 1 Notice under s. 985.07, Wis. stats., prior to hearing, with the costs for publication and public hearing paid by the licensee or permittee to the town clerk prior to publication. After hearing the evidence, the town board may confirm or reverse the revocation, or modify the revocation by imposing a limited period of suspension. The determination of the town board shall be in writing, shall state the reasons for the Board's action, and is final.

SECTION X - PENALTY PROVISIONS

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$100 nor more than \$1000, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION XI - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION XII - EFFECTIVE DATE

This ordinance is effective on publication.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 12th day of Dec, 2013



Gary Knutson

Town of Richmond Chairman



Donna Preece, Town Clerk

This ordinance shall take effect upon posting and publication as required by law.

Effective Date: 1/17/2014